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Attorneys for David R. Hagen,  
Chapter 7 Trustee

**UNITED STATES BANKRUPTCY APPELLATE PANEL  
OF THE NINTH CIRCUIT**

In re

## MERIDIAN HEALTH CARE MANAGEMENT,

## Debtor.

BAP Nos. CC-09-1021  
CC-09-1022

Bk. No. 1:06-bk-10733-GM

Adv. No. 1:07-ap-01186-GM

DAVID R. HAGEN, Chapter 7 Trustee

**Appellant**

V.

SCOTT HILINSKI; NAUTIC PARTNERS  
LLC; CHISHOLM PARTNERS IV, LP;  
FLEET EQUITY PARTNERS VI, LP; FLEET  
VENTURE RESOURCES, INC.; KENNEDY  
PLAZA PARTNERS II, LLC;  
Appellees.

**STIPULATION RE DISMISSAL OF  
APPEALS UPON APPROVAL OF  
COMPROMISE**

It Is Hereby Stipulated, by and between the parties hereto, through their respective counsel, as follows:

1. On April 28, 2009, this Court entered its Clerk's Order re Prosecution of Appeals (“Prosecution Order”).

2. The compromise made the subject of the Prosecution Order duly came on for hearing before the bankruptcy court on May 27, 2009, where it was approved. An Order approving said compromise was entered by the bankruptcy court on June 3, 2009.

1       3. Consequently, the parties hereto respectfully request that the Court dismiss the  
2 within appeals with prejudice, all parties bearing their own fees and costs.  
3

4 Dated: June 19, 2009

EZRA BRUTZKUS GUBNER LLP

6 By: /s/ Steven T. Gubner  
7 Steven T. Gubner  
8 Attorneys for David R. Hagen, Chapter 7 Trustee  
9 and Appellant

10 Dated: June 11, 2009

DLA PIPER US LLP

11 By: Joshua M. Briones  
12 Joshua M. Briones  
13 Anahit Tagvoryan  
14 Attorneys for Nautic Partners, LLC; Chisholm  
15 Partners IV, LLP; Fleet Equity Partners VI, L.P.;  
16 Fleet Venture Resources, Inc.; Kennedy Plaza  
17 Partners II, LLC, Appellees

18 Dated: June 11, 2009

NUTTER McCLENNEN & FISH LLP  
19 Jonathon L. Kotler, Esq.

BIRD MARELLA BOXER WOLPET NESSIM  
DROONKS & LINCENBERG

20 By: John K. Rubiner  
21 John K. Rubiner  
22 Attorneys for Scott Hilinski, Appellee

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1                   **PROOF OF SERVICE**

2                   At the time of service I was over 18 years of age and not a party to this action. My  
3 business address is 21650 Oxnard Street, Suite 500 Woodland Hills, CA 91367.

4                   On June 19, 2009, I served the following documents described as **STIPULATION RE**  
5 **DISMISSAL OF APPEALS UPON APPROVAL OF COMPROMISE** on the persons listed  
below:

6                   **SEE ATTACHED LIST**

7                    **By United States mail:** I enclosed the documents in a sealed envelope or package  
8 addressed to the persons at the addresses listed above and placed the envelope for  
collection and mailing, following our ordinary business practices. I am readily familiar  
9 with this business's practice for collecting and processing correspondence for mailing. On  
10 the same day that correspondence is placed for collection and mailing, it is deposited in  
the ordinary course of business with the United States Postal Service, in a sealed envelope  
11 with postage fully prepaid. I am a resident or employed in the county where the mailing  
occurred. The envelope or package was placed in the mail at Woodland Hills, CA.

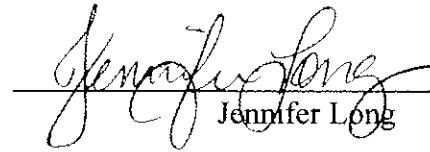
12                    **By overnight delivery:** I enclosed the documents in an envelope or package provided by  
13 an overnight delivery carrier and addressed to the persons at the addresses listed above. I  
14 placed the envelope or package for collection and overnight delivery at an office or a  
regularly utilized drop box of the overnight delivery carrier.

15                    **By fax transmission:** Based on an agreement of the parties to accept service by fax  
transmission, I faxed the documents to the persons at the fax numbers listed above. No  
16 error was reported by the fax machine that I used. A copy of the record of the fax  
transmission, which I printed out, is attached.

17                    **By e-mail or electronic transmission:** Based on a court order or an agreement of the  
18 parties to accept service by e-mail or electronic transmission, I caused the documents to be  
sent to the persons at the e-mail addresses listed above. I did not receive, within a  
19 reasonable time after the transmission, any electronic message or other indication that the  
transmission was unsuccessful.

20  
21                   I declare that I am employed in the office of a member of the bar of this Court at whose  
22 direction the service was made.

23                   Executed on June 19, 2009, at Woodland Hills, CA.  
24

25                     
26                   \_\_\_\_\_  
27                   Jennifer Long  
28

**SERVICE LIST**

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